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Of Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

ANZHELIKA PAYNE, personal
representative to the estate of LANDON
JAY PAYNE,

Plaintiff,

v.

JAIRO SOLORIO, an individual,
ANDREW ROBERTS, an individual,
JACOB THOMAS, an individual,
ROBERT GRIESEL, an individual,
JUSTIN WILSON, an individual,
ZACHERY FULTON, an individual,
EMMA GROTEFEND, also known as
EMMA EDWARDS, an individual,
COLTER GAWITH, an individual,
NATHAN GENT, an individual,

Case No. 6:22-cv-00471-MC

**DECLARATION OF DEREK
LARWICK IN SUPPORT OF
PLAINTIFF'S REPLY TO LANE
COUNTY DEFENDANTS'
RESPONSE IN OPPOSITION TO
MOTION FOR LEAVE TO AMEND
FIRST AMENDED COMPLAINT**

MICHAEL BAEUERLEN, an individual,
STEPHEN FOLEY, an individual,
JOSEPH FISHER, an individual,
JEREMY FIFER, an individual,
WILLIAM MCCLURE, an individual,
LANCE JESTER, an individual,
RICHARD CLINTON RILEY, an
individual, CONNOR WEST SANTINI,
an individual, LANE COUNTY and
CITY OF EUGENE, a municipal
corporation.

Defendants.

I, Derek Larwick, declare as follows:

1. Exhibit 1 is a true and correct copy of email correspondence regarding Lane County's production of the jail videos in April 2023.
2. Exhibit 2 is a true and correct copies of email correspondence from Erin Pettigrew on May 15, 2023.
3. Exhibit 3 is a true and correct copy of Plaintiff's counsel's email to Defense counsel on June 13, 2023.
4. Exhibit 4 is a true and correct copy of Plaintiff's counsel's revised email to Defense counsel on June 13, 2023.
5. Exhibit 5 is a true and correct copy of Andrea Coit's email response on June 13, 2023.
6. Exhibit 6 is a true and correct copy of the Form 9 standard complaint for negligence found in the appendix for Title 28.
7. Exhibit 7 is a true and correct copy of one of the discovery follow up emails, dated December 19, 2023.
8. Exhibit 8 is a true and correct copy of another of the discovery follow up emails, dated January 2, 2024.

9. Exhibit 9 is a true and correct copy of a responsive email from Andrea Coit, dated January 3, 2024.
10. Exhibit 10 is a true and correct copy of another discovery follow-up email, dated January 18, 2024.
11. Exhibit 11 is a true and correct copy of the email from Lane County's counsel's office producing the Wellpath contract and other documents for the first time on February 1, 2024.
12. Exhibit 12 is a true and correct copy of the email correspondence with the proposed subpoenas for Wellpath employees, Cristine Mixon and Brittani Standing.
13. Exhibit 13 is a true and correct copy of the letter received from Wellpath's attorney, indicating that they are representing Ms. Standing in this matter.
14. Exhibit 14 is a true and correct copy of the envelope, postmarked April 28, 2023, in which Lane County first produced the jail video footage to Plaintiff. This was received on May 3, 2023.

I hereby declare that the above statement is true to the best of my knowledge and belief and is subject to penalty for perjury.

Dated October 3, 2024.

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Derek Larwick, OSB No. 120334
Email: derek@larwick.com

CERTIFICATE OF SERVICE

I certify that Declaration of Derek Larwick in Support of Plaintiff's Reply to Lane County Defendants' Response in Opposition to Motion for Leave to Amend First Amended Complaint is being served on the parties, through their respective counsel, in the following manner:

- ☒ First class mail (to all addresses shown below)
- ☐ Fax (to all fax numbers shown below)
- ☐ E-mail (to all e-mail addresses shown below)
- ☐ Electronically by the Court's eFiling system
- ☐ Hand delivery

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Dated October 3, 2024.

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